

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)
)
v.) 1:13-cr-350 (LMB)
)
WILLIAM SYKES,)
)
Defendant.)

ORDER

Acting pro se, defendant William Sykes has filed a Motion for Reduction of Sentence Under 18 U.S.C. §3582(c)(2) and Amendment 782 to the U.S. Sentencing Guidelines seeking a reduction to his sentence. On February 21, 2014, defendant, who was a member of the Nine Trey Gangsters Gang, was found guilty after a jury trial of four charges: Conspiracy to Commit Racketeering in violation of 18 U.S.C. §§ 1962(d) and 1963(a) (Count 1s); Violence in Aid of Racketeering in violation of 18 U.S.C. § 1959(a) (Count 2s); Conspiracy to Distribute 280 Grams or more of Cocaine Base, in violation of 21 U.S.C. §§ 846 and 841(a)(1) (Count 5s); and Conspiracy to Commit Sex Trafficking, in violation of 18 U.S.C. § 1594(c) (Count 9s). He was sentenced on May 9, 2014 to 360 months incarceration concurrent on each count followed by five years of supervised release, concurrent as to all counts, among other penalties.

Amendment 782 lowered by two levels the offense level for drug offenses. Even though it did not go into effect until November 1, 2014, the Court directed the probation office to give defendant the benefit of that reduction. As a result of that direction, Worksheet A of the Presentence Report reduced the original calculation of the offense level for Count 5s from 32 to 30 before various enhancements were added.

Because defendant has already received the benefit of Amendment 782, there is no merit to his motion. Moreover, because he was convicted of three other offenses not affected by changes to the guidelines and sentenced concurrently for all four counts, any reduction to the sentence for Count 5s would not change the total term of imprisonment defendant must serve or the five years of post-conviction supervision. Accordingly, it is hereby

ORDERED that defendant's Motion [Dkt. No. 1084] be and is DENIED.

To appeal the decision in this Order defendant must file a written Notice of Appeal with the Clerk of this court within fourteen (14) days of receipt of this Order. Failure to file a timely Notice of Appeal waives the right to appeal this decision.

The Clerk is directed to forward copies of this Order to counsel of record and the defendant, pro se.

Entered this 11th day of February, 2019.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge